

STATEMENT OF DAVID PINTER

July 31, 2001

Members of the Senate, Ladies and Gentlemen:

My name is David Pinter of Louisa, Virginia. Before I quit two months ago out of fear for my health, I worked for Virginia Vermiculite for more than 22 years.

I was a heavy equipment operator and mechanic and worked every day excavating and loading vermiculite for processing at the plant. I also loaded and distributed the waste rock that was left over at the end of the processing and several times a week I hauled the processed ore through the town of Louisa to dump it at an uncovered stockpile near the middle of town or load it on box cars to be shipped all over the country. Every day I worked in clouds of dust doing each part of my job. Some days the dust was so thick I could barely see. Never in the 22 years was I given any protective clothing or respiration equipment.

When I would excavate the vermiculite to begin the processing, I would see veins running everywhere through the ground of whitish-grey fibrous material that was much lighter than the surrounding rock and sometimes almost fluffy in consistency. A lot of this fibrous material ended up in the waste rock and a lot of it ended up going into the process that put it into the downstream product. I have samples of this stuff in the jars sitting here in front of me.

For as long as I can remember, there have always been rumors in our community that the vermiculite we were handling was contaminated with tremolite asbestos.

The company owners assured the workers and the people of the community that this was not true and that we were safe. No one thought the company would lie to us and, as a result, all of us put our fears aside and continued to work unprotected. I now know that tests conducted by the W. R. Grace Company going back to the 1950's showed heavy concentrations of tremolite asbestos in the Louisa deposit. W. R. Grace controlled this deposit before Virginia Vermiculite took it over.

Only 20% of the material we dig up becomes useable vermiculite ore. That leaves 80% of every ton of excavated earth as waste rock that accumulates at the plant site. Each year we produced up to 50,000 tons of vermiculite. This left 200,000 tons of waste rock that had to be disposed of annually. The management of Virginia Vermiculite decided that a good solution to this problem would be to give it away to the public as free gravel. For 22 years I watched people come in with their own trucks to be loaded with this waste rock, or management would send dump trucks full of waste rock out each day to be dumped on peoples' driveways, parking lots, and in public areas such as the local library and fairgrounds. Usually, about 100-300 tons of this material was spread around Louisa County and the neighboring counties each day. As I told you before, all of this waste rock contained large quantities of the whitish-gray fibrous material.

In the fall of 1999, I began to see all the news about how the vermiculite workers and their families were dying in Libby, Montana from exposure to tremolite asbestos. This scared all the workers at the plant, but management continued to tell us we had nothing to worry about and that there was no tremolite in the Virginia deposit.

Some months later, an inspection team from MSHA showed up to check for asbestos exposure. They seemed shocked at what they found. I heard someone say "This looks more like an asbestos mine than a vermiculite mine". It turned out that the white-gray fibrous material we have been working in all these years was indeed tremolite asbestos - the same as at Libby, Montana, and citations were issued against the Company because of the worker exposure. The MSHA tests later showed the tremolite to be in concentrations of up to 99%. The inspectors said the workers needed to be in protective clothing, use respirators, have dust free cabs

on all equipment and have on-site showers and other decontaminating equipment provided. They also made management put red flags and orange cones out to mark the dozens of veins of asbestos which criss-cross the property. These veins range in size from less than an inch to one which is six feet high and two feet wide. Usually the best quality vermiculite is under and around these asbestos veins. Management was visibly annoyed at having these rich parts of the deposit Aoff-limits@.

As I understand it, management told MSHA they agreed to all of MSHA-s safety requirements. However, management actually ignored the safety requirements and most of them have never been carried out. The red flags and orange cones were set out to mark the asbestos veins, but no protective clothing or respirators were ever issued to the men and there is almost no protective equipment in place.

Since January however, MSHA and EPA seem to have lost interest in the tremolite asbestos problems at Virginia Vermiculite and management seems to appreciate this. For example, on Inauguration Day, 2001, the bosses at the plant were joyful and ordered all the red flags and orange cones removed from the barricaded area where the asbestos veins were and the workers were told to excavate through the asbestos as they always had before. When the plant manager ordered this I heard him say AWe don-t have to worry about MSHA any more. From now on they-ll be behind us every step of the way. They won-t cause us any more trouble.@ Once again, all the tremolite went into the product for down stream consumers of garden and lawn products, medicated powders, fire board, brake shoes, aggregate and numerous other common products.

Everyone talks about what a tragedy Libby, Montana was and how it can never happen again. Well it is happening again right now. It is happening under your noses just two hours from where you are sitting. We are not dead yet because the mining in Libby began 25 years before they started in Virginia, but it is coming. The end of the incubation period for asbestos disease is almost at hand. All the plant workers since 1978 have been exposed and hundreds of people in the town and county are being exposed daily. It is probably already too late for many of us, but you need to shut this mine down, and require the company to thoroughly decontaminate the mine and mill site. You also need to require the company to disclose every location where they spread their waste rock and to clean up those sites too. This is the only way to protect all those who have not yet been exposed.

Thank you.